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May 29, 2007  
File No. 1-5-07-I-122

## Memorandum

To: Supervisory Wildlife Biologist, Carson City Field Office, Bureau of Land Management, Carson City, Nevada (Attn: Rita Suminski)

From: Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

Subject: Informal Consultation Regarding the Draft Alpine County Resource Management Plan Amendment Biological Assessment

This memorandum responds to your request for informal consultation under the Endangered Species Act of 1973, as amended (Act), received on March 22, 2007, for the proposed Alpine County Resource Management Plan Amendment (Amendment). You are requesting concurrence on your determination that the proposed Amendment *may affect, but is not likely to adversely affect*, Lahontan cutthroat trout (LCT; *Oncorhynchus clarki henshawi*) and bald eagle (*Haliaeetus leucocephalus*). We are basing our evaluation of your determination on information provided to us in the Biological Assessment and Evaluation for the Alpine County Resource Management Plan Amendment (#012-07).

## Background and Need

The Bureau of Land Management (BLM), Carson City Field Office, is proposing to amend the Consolidated Resource Management Plan. The Amendment is needed to address land use issues, transportation networks, and grazing. Currently, land use decisions for approximately 18,680 acres of BLM-managed public land in Alpine County, California, derive from resource management plans and amendments from the 1960's, 70's, and 80's. The proposed Amendment will designate land tenure for approximately 18,680 acres of BLM-managed lands, identify and designate trails and travel management for approximately 18,680 acres of BLM-managed lands, and close three allotments to all grazing and close one allotment to cattle grazing totaling 11,906 acres. Specifically, the Amendment will:

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## **Land**

- Pursue revocation and restoration of 80 acres of land along Snowshoe Thompson Ditch to BLM management. This land is currently managed by the Bureau of Reclamation. The land would be managed by BLM consistent with adjacent lands located within the Indian Creek Recreation Lands Boundary.
- Designate 17,725 acres for retention in public ownership under the administration of BLM.
- Designate 955 acres for disposal to Alpine County for public purposes under the Recreation and Public Purposes Act of 1926.

## **Transportation Network**

- Designate 5,521 acres of public lands as "Motorized Use Limited to Designated Roads and Trails".
- Designate 894 acres in the Fay-Luther area as closed to motorized vehicle travel. Administrative access via motorized vehicle would be authorized when necessary.
- Designate 550 acres in the Carson-Iceberg Wilderness Study Area closed to motorized vehicles regardless of Wilderness status.
- Designate 2,375 acres in the Slinkard Wilderness Study Area closed to motorized vehicles regardless of Wilderness status.
- Designate 378 acres within Bagley Valley as closed to all motorized vehicle travel.
- Designate 5,143 acres in Bagley Valley as limited to designated roads and trails.
- Designate 268 acres within the Indian Creek Restoration Withdrawal Area as closed to all motorized vehicle travel. (Specific to South Tahoe Public Utility District Right-of-Way).
- Roads, primitive roads, and/or trails designated within the network may be altered through adaptive management with segments closed, realigned, or added when conditions warrant.
- Designate a preliminary network of roads, primitive roads, and trail networks on approximately 4 miles of nonmotorized and 6.8 miles of motorized linear trails.
- An inventory and assessment of roads, primitive roads, and trails not identified in the preliminary network would be completed by 2009. Should any new roads or trails be constructed, further National Environmental Policy Act analysis would be required.
- A completed road, primitive road, and trail network would be established through travel management planning by 2010.
- Roads needed for administrative purposes such as, but not limited to, fuel wood sales, traditional cultural uses, search and rescue, fire suppression, and livestock grazing would be allowable.
- Areas not yet inventoried would be managed as limited to existing roads and trails for all motorized travel until designations and road signing is completed.

### **Grazing**

- BLM managed lands would be closed for livestock grazing use in the Harvey Flat, Indian Creek (California portion only), and Millberry Canyon Grazing Allotments.
- Sheep grazing would continue to be permitted on the Bagley Valley Allotment.

### **Affected Habitat**

#### **LCT**

The BLM has determined that the proposed Amendment may affect, but is not likely to adversely affect LCT. There are no known populations of LCT in the Amendment area on BLM managed lands, but portions of the area have been identified as potential habitat (Kling 2006). The draft actions proposed under this Amendment, along with future transportation management could have cumulative positive effects on long-term LCT recovery. LCT are being managed under the U.S. Fish and Wildlife Service's (Service) *Recovery Plan for the Lahontan Cutthroat Trout* (Service 1995) such that completed projects will not preclude the recovery and survival of the species.

#### **Bald Eagle**

The BLM has determined that the proposed Amendment may affect, but is not likely to adversely affect bald eagles. The proposed draft land disposal, transportation designations, and grazing management would not affect nesting or foraging habitat, and would likely be beneficial to bald eagles. The Amendment area is either yearlong or winter bald eagle habitat. Successful nesting has occurred within the Amendment area in at least two nest sites. All known and potential nest sites in the Amendment area are located on public lands with the exception of one nest site located on land leased to the South Tahoe Public Utility District (Utility District). The Utility District has closed the area to the general public and is managing the area compatible with bald eagle management objectives. The BLM is managing bald eagles under the Service's *Recovery Plan for the Pacific Bald Eagle* (Service 1986).

#### **Conclusion**

Under the Act, completed projects should not preclude future recovery and survival of threatened or endangered species. Based on the information provided, we concur that the proposed project *may affect, but is not likely to adversely affect* LCT or the bald eagle. Therefore, formal consultation pursuant to section 7 of the Act is not required.

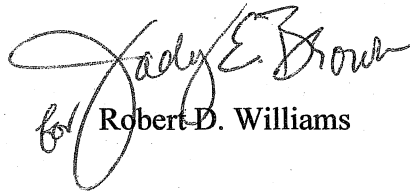
This response constitutes informal consultation under regulations promulgated in 50 CFR § 402, which established procedures governing interagency consultation under section 7 of the Act. If the proposed actions as described are changed, or if new biological information becomes

Supervisory Wildlife Biologist

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available concerning listed or candidate species which may be affected by the Amendment, your agency should reinitiate consultation with the Service.

Thank you for your efforts to conserve federally protected species. Please reference file number 1-5-07-I-122 in future correspondence concerning this consultation. If you have any questions or concerns about this consultation or the consultation process in general, please contact me or Todd Gilmore at (775) 861-6300.

  
for Robert D. Williams

## **References**

Kling, J. 2006. East Fork Carson River: 2006 Stream Habitat Survey Report. Carson Ranger District. U.S. Forest Service. Unpublished Document Carson City Field Office Files. p. 5-6.

Service 1986. Recovery Plan for the Pacific Bald Eagle. U.S. Fish and Wildlife Service. Portland, Oregon. 160 pp.

Service 1995. Recovery Plan for the Lahontan Cutthroat Trout. U.S. Fish and Wildlife Service. Portland, Oregon. 108 pp.